

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: AUG 29 2007

UNITED STATES OF AMERICA

: INDICTMENT

- v -

07 CRIM. 816

BANKY ADEBANJO,
a/k/a "Kurt Konigsberger,"
a/k/a "Bankole Adetayo,"

Defendant.

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COUNT ONE

(Conspiracy to Commit Bank Fraud)

The Grand Jury charges:

The Fraudulent Scheme

1. From in or about at least November 2004, up to and including in or about February 2007, in the Southern District of New York and elsewhere, BANKY ADEBANJO, a/k/a "Bankole Adetayo," a/k/a "Kurt Konigsberger," the defendant, and others known and unknown, participated in scheme to commit bank fraud by fraudulently accessing and using the credit of hundreds of individual victims without authorization.

2. As a part of the fraudulent scheme, BANKY ADEBANJO, a/k/a "Bankole Adetayo," a/k/a "Kurt Konigsberger," the defendant, and his coconspirators fraudulently obtained hundreds of individual victims' bonafide credit reports by means of sending bogus letters to the credit reporting agency TransUnion LLC ("TransUnion"), purporting to be from the individual victims,

JUDGE PRESKA

which letters requested copies of the individual victims' credit reports and sought to change the individual victims' addresses to mailboxes controlled by ADEBANJO and his coconspirators.

3. As a further part of the fraudulent scheme, BANKY ADEBANJO, a/k/a "Bankole Adetayo," a/k/a "Kurt Konigsberger," the defendant, and his coconspirators sought to use information from the credit reports they had stolen to obtain credit cards in their victims' names in order to use those credit cards fraudulently to purchase and obtain things of value, including goods and services.

Statutory Allegations

4. From in or about at least November 2004, up to and including in or about February 2007, in the Southern District of New York and elsewhere, BANKY ADEBANJO, a/k/a "Bankole Adetayo," a/k/a "Kurt Konigsberger," the defendant, and others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate, and agree together and with each other to commit an offense against the United States, to wit, to violate Title 18, United States Code, Section 1344.

5. It was a part and an object of the conspiracy that BANKY ADEBANJO, a/k/a "Bankole Adetayo," a/k/a "Kurt Konigsberger," the defendant, together with others known and unknown, unlawfully, willfully, and knowingly, would and did execute and attempt to execute a scheme and artifice to defraud a

financial institution, the deposits of which were insured by the Federal Deposit Insurance Corporation, and to obtain moneys, funds, credits, assets, securities, and other property owned by and under the custody and control of such financial institution, by means of false and fraudulent pretenses, representations, and promises, in violation of Title 18, United States Code, Section 1344.

Overt Acts

6. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York, and elsewhere:

a. On or about December 24, 2004, BANKY ADEBANJO, a/k/a "Bankole Adetayo," a/k/a "Kurt Konigsberger," the defendant, applied for and opened a mailbox at a private mailbox provider at 980 Fourth Avenue, Brooklyn, New York (hereinafter referred to as "Mailbox-1").

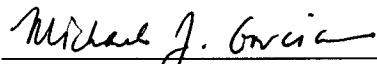
b. On or about October 29, 2006, a conspirator used a Citibank credit card, without authorization by the person in whose name the credit card was issued, to make two purchases at a Staples store in the Bronx, New York.

c. On or about December 12, 2006, BANKY ADEBANJO, a/k/a "Bankole Adetayo," a/k/a "Kurt Konigsberger," the defendant, posing as an individual victim, prepared and caused to be sent to TransUnion a letter requesting a copy of that victim's

credit report and directing that the credit report be mailed to Mailbox-1.

(Title 18, United States Code, Section 1349.)


FOREPERSON


MICHAEL J. GARCIA *MDA*
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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INDICTMENT

07 Cr.

Title 18, United States Code, Section 1349

Michael J. Garcia
United States Attorney.

A TRUE BILL

Armand C. [Signature]
Foreperson.

*Indictment filed.
Case assigned to Judge [Signature]
Fleming
8/29/07*